

**REMARKS**

Claims 4-15 are pending in this application, of which claims 4, 5, and 11 – 15 stand withdrawn. Claims 1 – 3 were previously cancelled without prejudice or disclaimer to the subject matter therein. Therefore, claims 6 – 10 are presented for reconsideration in view of the foregoing amendments and following remarks.

It is respectfully submitted that the enclosed amendments introduce no new matter within the meaning of 35 U.S.C. § 132.

**Rejections under 35 USC §112**

In the outstanding Office Action, claims 6, 7, and 10 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite. The Examiner has directed the applicant's attention to the phrases "first via holes" and "second via holes" in claim 6; "the insulating films serve as second storage capacitors" in claim 7; and "the second light blocking metal films" in claim 10.

**Response**

The Examiner's rejection is traversed. Reconsideration and withdrawal of the rejection are requested.

Applicant would like to draw the Examiner's attention to the fact that a "via hole" is an electrical component known to one skilled in the art to which this application is directed. Applicant draws the Examiner's attention to a number of U.S. Patents in this art, which discuss the term "via hole," including U.S. Patent No. 6,559,914 to Jones et al., U.S. Patent No. 5,686,790 to Curtin et al.,

and U.S. Patent No. 5,458,520 to DeMercurio et al., among others.

Applicant submits that the features recited in claim 6 which led to the Examiner's rejection thereof, namely "the first via holes" and "the second via holes," will be properly understood by the Examiner upon review of these or other prior art documents which discuss "via holes."

Further, the Examiner's claim that the insulating films of claim 7 "cannot serve as second storage capacitors" is also derived from an incorrect interpretation or role of the "via holes" as recited in claim 6, from which claim 7 depends. Applicant submits that the feature recited in claim 7 which led to the Examiner's rejection thereof, namely "wherein the insulating films serve as second storage capacitors," will be properly understood by the Examiner upon review of these or other prior art documents which discuss "via holes."

Further still, Applicant has amended claims 6, 7, and 10 to address the Examiner's rejection of claim 10; these claims now recite a "light blocking metal-containing film." Applicant submits that a metal-containing film may comprise TiN.

Accordingly, as applicants have addressed all issues raised by the Examiner, Applicants respectfully request that the Examiner reconsider and withdraw the rejections of claims 6, 7, and 10 under 35 U.S.C. 112, second paragraph.

### **Rejections under 35 USC §103**

In the outstanding Office Action, claims 6 – 8 and 10 were rejected under 35 U.S.C. 103(a) as being unpatentable over Japanese Patent Document JP2002-357820, to Fumitoshi, et al. (hereinafter referred to as "Fumitoshi"), and claim 9 was rejected under 35 U.S.C. 103(a) as

being unpatentable over Fumitoshi in view of U.S. Patent No. 6,781,650 to Colgan et al.  
(hereinafter referred to as “Colgan.”)

### Response

The Examiner’s rejection is traversed. Reconsideration and withdrawal of the rejection are requested.

To establish a *prima facie* case of obviousness, the Examiner must establish: (1) that some suggestion or motivation to modify the references exists; (2) a reasonable expectation of success; and (3) that the prior art references teach or suggest all of the claim limitations. *Amgen, Inc. v. Chugai Pharm. Co.*, 18 USPQ2d 1016, 1023 (Fed. Cir. 1991); *In re Fine*, 5 USPQ2d 1596, 1598 (Fed. Cir. 1988); *In re Wilson*, 165 USPQ 494, 496 (CCPA 1970).

Applicant submits that all of the features of the presently claimed invention are not disclosed, taught or suggested in the cited single prior reference.

Amended claim 6 recites a “reflective liquid crystal display” comprising, *inter alia*, “light blocking metal-containing films formed between the semiconductor substrate and the reflective pixel electrodes for the respective pixels and electrically isolated from one another...wherein the light blocking metal-containing films are electrically connected to the first via holes and cover the second openings of the light blocking metal films in order to prevent the light which has intruded into the light blocking metal films side through the first openings from reaching the switching elements through the second openings.” (Present Application, Claim 6, emphasis added).

Fumitoshi is drawn to a display with two *conductive light-shielding films* (38 and 71).

Applicants submit that Fumitoshi fails to disclose, teach, or suggest a display “wherein the light blocking metal-containing films are electrically connected to the first via holes and cover the second openings of the light blocking metal films in order to prevent the light which has intruded into the light blocking metal films side through the first openings from reaching the switching elements through the second openings.” (Present Application, Claim 6).

The Examiner has stated that “Fumitoshi et al. fail to disclose forming the second light blocking metal films 38 electrically connected to the first light blocking metal films 35 via holes 40” [sic] (Outstanding Office Action, page 6, emphasis original).

The Examiner has cited element 38’ of Figure 14 of Fumitoshi in stating that “it would have been obvious...to further modify a reflective liquid crystal display device as [shown in] Figures 7-8 [of Fumitoshi by] forming the second light blocking metal films 38 electrically connected to the first light blocking metal films 35 via holes 40.” (Outstanding Office Action, page 7, emphasis original)

Initially, Applicants submit that it is clear from the Examiner’s reinterpretation of the features of claim 6 that the interpretation of the claim is again based on an incorrect understanding of a “via hole.” Applicants again submit that claim 6 will be properly understood by the Examiner upon review of the above prior art documents or others which discuss “via holes.” For example, Claim 6 does *not* recite that the second light blocking metal films 38 are “electrically connected to the...light blocking metal films 35...via holes 40” (meaning “by way of holes 40”, as set forth by the Examiner), but in fact recites that “the light blocking metal-

containing films are electrically connected to the first via holes” (where the ‘via holes’ are components themselves).

Applicants also draw the Examiner’s attention to paragraph 99 of the English translation of Fumitoshi, which was first provided to the Examiner on January 24, 2006. Paragraph 99 recites repeatedly that element 38’ “has insulation [in contrast] to the light shielding film 38 of drawing 7(A) having conductivity.” Paragraph 99 continues that “SOG containing a colored pigment may be used as insulating light-shielding film 38” and that “it is because the light shielding film has insulation, so the problem of parasitic capacitance increasing does not arise even if it contacts a wiring metal.” (translation of Fumitoshi, paragraph 99). Thus, Applicants submit that the Examiner’s reference to Figure 14 of Fumitoshi does not cure the deficiencies of the remaining figures of Fumitoshi, as Fumitoshi does not teach that film 38’, found in Figure 14, can be electrically connected to anything, and in fact teaches away from this interpretation.

The Examiner has also cited Colgan to cure the deficiencies of Fumitoshi.

Colgan is drawn to a “liquid crystal light valve having a semiconductor substrate, a counter substrate, light-reflecting films, and liquid crystal comprises a light-blocking layer and light shields formed between the light-blocking layer and the light-reflecting films.” (Colgan, Abstract)

Applicants submit that Colgan fails to disclose, teach, or suggest a display “wherein the light blocking metal-containing films are electrically connected to the first via holes and cover the second openings of the light blocking metal films in order to prevent the light which has

intruded into the light blocking metal films side through the first openings from reaching the switching elements through the second openings.” (Present Application, Claim 6).

Accordingly, as both Fumitoshi and Colgan fail to disclose, teach, or suggest a “reflective liquid crystal display...*wherein the light blocking metal-containing films are electrically connected to the first via holes and cover the second openings of the light blocking metal films in order to prevent the light which has intruded into the light blocking metal films side through the first openings from reaching the switching elements through the second openings.*” (Present Application, Claim 6, emphasis added), Applicant submits that the Examiner has failed to make a *prima facie* case of obviousness.

Reconsideration and withdrawal of the rejection to independent claim 6, and to claims 7 – 10 dependent therefrom, are respectfully requested.

Applicant further submits that claims 7 – 10 are allowable not only for their dependence from allowable claim 1, but for their additional patentable features which are not found in the cited prior art.

### **Finality of Office Action**

Pages 1 and 2 of the Official Action indicate that this action is final. However, the use of Colgan as a grounds for rejection was not indicated in any previous Office Action and represents a new grounds for rejection. The Examiner is reminded that under MPEP 706.07(a), “Under present practice, second or any subsequent actions on the merits shall be final, except where the examiner introduces a new ground of rejection”. Applicant submits that the present Official Action contains

new grounds of rejection which were unwarranted solely based on applicants previous claim amendments. Accordingly, applicant respectfully requests the Examiner to remove the finality of the present rejection.

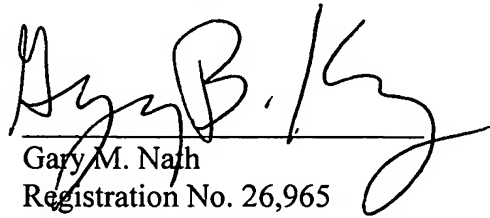
### CONCLUSION

In light of the foregoing, Applicants submit that the application is in condition for allowance. If the Examiner believes the application is not in condition for allowance, Applicants respectfully request that the Examiner call the undersigned.

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Respectfully submitted,  
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A handwritten signature in black ink, appearing to read 'Gary M. Nath', written over a horizontal line.

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